

# MOSES & SINGER LLP

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April 14, 2021

**SENT VIA ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Ariel Tavarez  
1:19 Cr. 00690 (KPF)**

Dear Judge Failla:

On behalf of my client, Ariel Tavarez, and with the Government's consent, I would respectfully request that the pretrial motion schedule, and subsequent Court conference dates be modified to permit me time to review and discuss with him, a possible pre-trial disposition of his case.

Accordingly, should there be no disposition, I would request that the Court permit me until May 6 for defense motions, May 20 for the Government's response, and May 27 for our reply, if any. We would ask that the Court set a convenient date thereafter, for the adjournment of the conference, which is presently scheduled for May 14, 2021.

On behalf of Mr. Tavarez, we waive speedy trial time through whatever date the Court sets, based on the reasons contained within this request and in the interests of justice.

The Court's consideration is greatly appreciated.

Respectfully,

/s/ Barry S. Zone

Barry S. Zone

cc: AUSA Aline Flodr  
AUSA Nicholas Chiuchiolo  
AUSA Mollie Bracewell

Application GRANTED. The oral argument scheduled for May 14, 2021, is hereby ADJOURNED to June 18, 2021, at 9:00 a.m. with a backup time of 11:00 a.m. On or by June 4, 2021, the parties are to inform the Court whether they request an in-person or remote proceeding. The Court will confirm the date and time the week before the conference.

It is further ORDERED that time is excluded under the Speedy Trial Act between May 14, 2021, and June 18, 2021. The Court finds that the ends of justice served by excluding such time outweigh the interests of the public and the defendant in a speedy trial because it will permit defense counsel to prepare any pretrial motions and permit the parties to consider a pre-trial disposition.

Dated: April 14, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE